

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSION ANDERSON
COMMISSION SECRETARY
LEGAL
WORKING FILE

FROM: CHRIS HECHT

DATE: AUGUST 26, 2016

RE: CASE NO. SCH-W-15-01
COMPLIANCE TARIFF FILING

On February 15, 2015, Schweitzer Basin Water, LLC filed an application for a Certificate of Public Convenience and Necessity. Commission Order No. 33543 granted the Company Certificate No. 521 on June 23, 2016. On July 14, 2016, the Company submitted its tariff as directed by the Commission. Since that time, Staff has worked with the Company to ensure the tariff is in compliance with the Commission's Order, Rules and Regulations, and Idaho Statutes. The Company requested an effective date of July 1, 2016, which is consistent with the Commission's order. See Order at 15.

In Order No. 33543, the Commission approved an Insufficient Funds Fee of \$30.00. Order at 13. The Company had requested a \$40.00 charge; Staff recommended a \$20.00 charge in its comments.

Idaho Code § 28-22-105¹ allows a company to charge no more than \$20.00 for dishonored checks. In its review, Staff discovered that the fee schedule for Mountain West Bank provided by the Company in its reply comments was outdated; the current fee schedule is attached to this memo. Staff also verified that the Overdraft/Returned Item Fee cited by the Company would be assessed by the bank if the Company itself issued a dishonored check. If a customer of the Company made a payment with a dishonored check that was subsequently

¹ The statute states, in pertinent part, "Whenever a check ... has been dishonored by nonacceptance or nonpayment ... the drawer of such check shall also be liable for payment of interest ... and cost of collection not to exceed twenty dollars ... or the face amount of the check, whichever is the lesser."

deposited by and returned to the Company, the Company would be assessed a Returned Deposit Item charge of \$2.00.

Staff discussed the problem with the Company, and the Company agreed to a \$20.00 Insufficient Funds Fee. Staff recognizes that in addition to the bank fee it would incur if a customer paid with a dishonored check, there are also administrative costs incurred by the Company to pursue collection of the amount owed by the customer. Staff maintains that the amount of the charge should be consistent with the statute and sufficient to discourage customers from making payment with a dishonored check.

STAFF RECOMMENDATION

Staff has confirmed that the final version of the tariff complies with Commission Order No. 33543, with the one exception noted above. Staff recommends approval of the Company tariff, including an Insufficient Funds Charge of \$20.00.

COMMISSION DECISION

Does the Commission wish to approve the Company Tariff with an effective date of July 1, 2016?


Chris Hecht

Udmemos/SCH-W-15-01 Compliance Filing dec memo

MOUNTAIN WEST BANK

FEE SCHEDULE

Effective January 1, 2016

This schedule lists fees that may be charged for certain services. Please familiarize yourself with your account information and potentially applicable fees. Note that products and services may vary by branch or change over time. Fees are subject to change and not all fees may appear here. You may obtain information about interest rates and fees for services not listed here by contacting your local branch.

Bolded fees reflect a change from current pricing.

OVERDRAFT FEES

Overdraft fee created by check, in-person withdrawals, ATM withdrawals, or other electronic means

Overdraft Fee **\$30.00/item**

- Fee assessed for items that are paid

Returned Item Fee **\$30.00/item**

- Fee assessed for items that are returned

Continuous Overdraft Fee \$ 5.00/day

- Fee assessed on accounts that remain for more than 5 consecutive days

STOP PAYMENT FEES

Stop Payment \$30.00/item

WIRE TRANSFER

Incoming Wire Fee (domestic and foreign) **\$10.00/each**

Outgoing Wire Fees

- Domestic **\$20.00/each**

- Foreign sent in U.S. dollars **\$75.00/each**

- Foreign sent in foreign currency **\$50.00/each**

- Foreign using direct credit **\$50.00/each**

(direct credit may not be available in all countries/currencies)

DORMANT ACCOUNT FEE

Dormant Account Fee **\$ 5.00/month**

- Fee assessed on checking accounts with a daily balance less than \$100 and no activity for 1 year

- Fee assessed on savings and money market accounts with daily balances less than \$100 and no activity for 2 years

Unclaimed Property Fee **\$50.00/remittance**

- Fee assessed on accounts before remittance to the state

EXCESS WITHDRAWAL FEE

Savings and Money Market Accounts **\$ 1.00/item**

- Fee assessed on accounts with more than 6 withdrawals or transfers to another account of yours or to a third party by means of pre-authorized or automatic transfer or telephone order or instruction, computer transfer, or by a check, debit card, or similar order to a third party

EARLY ACCOUNT CLOSING FEE

Early Account Closing Fee **\$10.00**

- Fee assessed if account is closed within the first 90 days

CARD SERVICES

Express Delivery Card Replacement **\$80.00**

Instant Issue Local image **\$ 5.00**

Instant Issue Custom Image (e.g. high school mascot) **\$10.00**

LEGAL PROCESS FEES

Levy, Garnishment, Execution Fees

- Charged to customer's account **\$75.00/request**

- Processor Fee **\$10.00/request**

ACCOUNT RECONCILIATION OR RESEARCH FEE

Account Reconciliation or Research **\$30.00/hour**

OTHER IN-BRANCH SERVICES

Cashier's Checks **\$ 5.00/item**

Returned Deposit Item **\$ 2.00/item**

Sweeps **\$ 2.00/transfer**

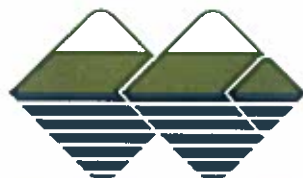
Check Cashing (non-customer) **\$15.00/item**

SAFE DEPOSIT BOXES

Box sizes vary per location. Please contact customer service for availability and annual rent for safe deposit boxes. Box rent is due annually.

Box Drilling **Locksmith Fee**

Key Replacement **\$20.00**



**Mountain
West Bank**
Division of Glacier Bank

